

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PORCELAINES JAMMET SEIGNOLLES & CIE, :

Plaintiff, :

- against - :

CHAMART EXECUTIVES, INC., :

Defendant. :

-----X
VICTOR MARRERO, United States District Judge.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11-20-09

08 Civ. 8350 (VM)

CONDITIONAL
ORDER OF DISCONTINUANCE
WITHOUT PREJUDICE

Counsel for plaintiff, on behalf of the parties, having notified the Court, by letter dated November 19, 2009, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

ORDERED, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action and any pending motions to its active docket and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date

within ten days of the plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

The conference scheduled for November 20, 2009 is canceled but shall be rescheduled as set forth above in the event plaintiff notifies the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein.

The Clerk of Court is directed to withdraw any pending motions and to close this case.

SO ORDERED.

Dated: NEW YORK, NEW YORK
November 19, 2009



VICTOR MARRERO
U.S.D.J.

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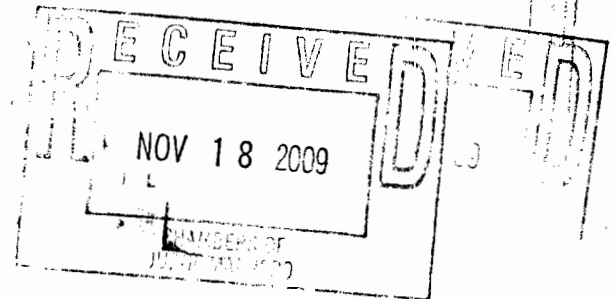
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November 19, 2009

BY FACSIMILE

Honorable Victor Marrero
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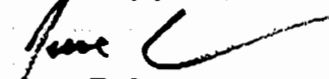
Re: Porcelaines Jammet Seignolles v. Chamart, 08 Civ. 8350 (VM)

Dear Judge Marrero:

We represent plaintiff Porcelaines Jammet Seignolles & CIE ("Seignolles") in this action. I write to the Court to request an adjournment of the status conference scheduled for November 20, 2009 at 10:15. The reason for this request is that the parties appear to have reached a resolution, and are prepared to dismiss the case by stipulation upon Seignolles' receipt of an initial payment from Chamart by December 15, 2009. We need the extra time to complete this process.

Based on a telephone call with Kevin Hacberle, Law Clerk, I respectfully suggest Friday, January 15, at 2:30 p.m.

Very truly yours,


Jesse T. Conan

cc: Edward F. Beane (fax: 914-946-6868)